

Lee F. Bantle (LB-7036)
Amos B. Blackman (AB-7624)
BANTLE & LEVY LLP
817 Broadway
New York, New York 10003
(212) 228-9666
Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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LISA DIAZ, :
: Plaintiff, :
: :
: - against - : No. 10 CV 4229 (JO)
: :
SEAMEN'S SOCIETY FOR :
CHILDREN AND FAMILIES, :
: Defendant. :
: :
-----X

PLAINTIFF'S PROPOSED VOIR DIRE QUESTIONS

Plaintiffs respectfully request the Court to include the following questions in its customary interrogation of prospective jurors and to permit counsel for the parties to make such further inquiry as the Court deems proper pursuant to Rule 47 of the Federal Rules of Civil Procedure. In the event a particular juror's answer reveals that further inquiry is appropriate, the Court is requested to pursue more detailed questioning.

A. GENERAL QUESTIONS ON JURORS' BACKGROUNDS

1. What is your current address?
2. What is your occupation?
What kind of work do you do?
Where do you work?

3. How long have you worked there? Did you have any prior positions?
4. Have you worked in job where you were involved in recommending whether employees were promoted, disciplined or terminated? Have you ever worked in a supervisory position where you were required to give employees performance evaluations?
5. What is your spouse's occupation?
What kind of work does he/she do?
Where does he/she work?
6. Do you have any children?
What are their ages?
Are any in college?
What are their occupations?
7. How many years of school have you attended?
Did you attend college? Where?
8. Where did you grow up?
What did your father do for a living?
What did your mother do for a living?
9. What organizations do you belong to?
10. If you had \$100 to donate to any group (charity, civic group, etc.), to whom would you donate it and why?
11. What are your sources for news, i.e. what newspapers and magazines do you read, which radio and TV shows do you listen to and watch, and what websites do you check regularly?
12. What do you do for recreation? What clubs or groups do you belong to?
13. Have you ever had any jury experience before? When? Where? Types of cases?
14. Was there anything about your previous jury experience that would lead you to feel that you may have some prejudice either for or against either side in this case?
15. Have you or any member of your family or friends been employed by, worked for, or received services from the defendant in this case, Seamen's Society for Children and Families' or any other adoption or foster care services provider? If so, who, when, and in what capacity?

B. KNOWLEDGE OF PARTIES, WITNESSES AND ATTORNEYS

1. Do you know any of the following (*also attached as Attachment A*):

i. Parties:

1. Lisa Diaz

ii. Witnesses:

1. Antoinette Colleymore
2. Phyllis Davide
3. Sheldon Hamblin
4. Karen Joseph
5. Antonio Lawes
6. Claude Louis
7. Esther Onwuadiamu
8. Margaret O'Toole
9. Leonard Shelton
10. Dayna Starkweather

iii. Attorneys:

1. Jack Babchik
2. Lee Bantle
3. Amos Blackman
4. Marisa Wooldridge (nee Marisa DeVito)
5. Anyone else associated with the law firms of Babchik & Young LLP or Bantle & Levy LLP

C. RELIGIOUS ACTIVITY AND RELIGIOUS DISCRIMINATION

1. Without revealing your religious affiliation, are you actively involved in a religious organization?
2. How often do you attend religious services? Without telling us where, do you always or almost always attend services at the same place of worship?
3. Do you regularly socialize with people who are of a different religion than you?
4. Do you think that employees should be allowed to miss work for religious observance? Are you opposed to laws that require employers to accommodate religious observance?
5. Have you ever missed work due to a religious observance?

6. How do you feel when someone whose religious beliefs are different than yours gets to take off a religious holiday that you don't get to?
7. Have you ever had to do extra work on the job because someone took time off for religious observance? How did you feel about that?
8. This case concerns allegations that the plaintiff's civil rights were violated by a not-for-profit social services organization, which was her employer. The plaintiff is Episcopalian, also known as Anglican. Is there anything in this set of circumstances that would make it difficult for you to decide this case fairly and impartially, without bias or prejudice?

D. DAMAGES

1. If, after hearing the evidence and the instructions of the judge, you found that the defendant had violated the plaintiff's rights, would anything cause you to hesitate to make the defendant pay money damages to the plaintiff? If so, what?
2. Do you feel that a person should be financially compensated for emotional and mental distress that is wrongfully caused her by another?
3. If the judge were to instruct you that such compensation was proper under the law, would you have any hesitation about making such an award if the evidence warranted it?
4. If you were selected as a juror in this case, do you know of any reason why you could not sit as an impartial juror?
5. Is there anything else that you feel is important for the Court to know about you?

Dated: October 3, 2012
New York, New York

Respectfully submitted,

BANTLE & LEVY LLP

By: _____ /s/
Amos B. Blackman (AB-7624)
817 Broadway
New York, New York 10003
(212) 228-9666

Attorneys for Plaintiffs

Attachment A

Individuals associated with the action, Lisa Diaz v. Seamen's Society for Children and Families:

1. Lisa Diaz
2. Seamen's Society for Children and Families
3. Antoinette Colleymore
4. Phyllis Davide
5. Sheldon Hamblin
6. Karen Joseph
7. Antonio Lawes
8. Claude Louis
9. Esther Onwuadiamu
10. Margaret O'Toole
11. Leonard Shelton
12. Dayna Starkweather

13. Jack Babchik
14. Lee Bantle
15. Amos Blackman
16. Marisa Wooldridge (née Marisa DeVito)
17. Other persons associated with the law firms of Babchik & Young LLP or Bantle & Levy LLP